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**AN ADDENDUM TO THE PREVIOUSLY ADOPTED NEGATIVE DECLARATION OR
ENVIRONMENTAL IMPACT REPORT
FOR THE POINTE SAN DIEGO
GPA90-02, SPA88-001, R88-001, TM4828RPL, P89-014, P89-015, P89-016
LOG NO. 90-GP-3
FOR PURPOSES OF CONSIDERATION OF THE POINTE SAN DIEGO
SPA01-003, MUP89-015W³
LOG NO. 89-19-015B
LAKE POINTE LUXURY APARTMENTS PHASE II
REZ02-001, LOG NO. 89-19-015B
POINTE LAKEVIEW PHASE II
TM5296RPL1/LOG NO. 89-19-015F**

AUGUST 5, 2003

CEQA Guidelines, Section 15164 (a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 or 15163 calling for the preparation of subsequent or supplemental EIR have occurred.

Discussion:

There are some changes and additions, which need to be included in an Addendum to the previously certified EIR to accurately cover the new project. The additions are underlined and deletions are struck out. The changes and additions consist of the following:

1. To the Project Name add: Lake Pointe Luxury Apartments Phase II; The Pointe LakeView Phase II
2. To the Project Number(s) add: P89-015W2, SPA01-003, REZ02-001/ Log No. 89-19-015B; TM5296Rpl1/Log No. 89-19-015F
3. To Section 1.1 (page 1-1) of the EIR add and delete as indicated: The subject of the environmental impact report (EIR)...resort with 644 706 guest suites,...649

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572 single-family detached homes, 236 283 apartments multi-family units, an 18-hole golf course,...

4. To Section 2.2 (page 2-1) of the EIR add and delete as indicated: The proposed project...corporate offices, 619 572 single-family detached homes, 236 283 apartments multi-family units.... ~~The resort complex is proposed to contain 644 guest suites in eighteen buildings and a 73,050 square foot convention facility. The convention facility is to be located between two of the guest suite multiple story buildings, each containing 23 guest suites. The remaining 105 guest suites are located in 16 mountainside buildings. The main resort complex consists of three buildings; a convention center surrounded by the central guest lodging structure providing a total of 453 suites. The minimum accommodation is a 600 square foot, two-room suite. Eleven adjacent mountainside buildings individually contain 23 guest suites for a total of 706 suites. Adjacent to the two main suite buildings~~ resort complex and the convention facility....

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August 5, 2003

Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF

**The Pointe San Diego, MUP89-015W³/SPA01-003/Log No. 89-19-015B;
Lake Pointe Luxury Apartments Phase II, REZ02-001/Log No. 89-19-015B;
Pointe Lakeview Phase II, TM5296Rpl1/Log No. 89-19-015F**

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously adopted ND or previously certified EIR:

An EIR for The Pointe San Diego, GPA90-02, SPA88-001, R88-001, TM4828RPL, P89-014, P89-015, P89-016, Log No. 90-GP-3 was certified by the Board of Supervisors on August 1, 1990. The certified EIR found that the project would cause significant effects to geologic resources, hydrologic resources, cultural resources, land use, biological resources, transportation and circulation, air quality, noise, public services and utilities, aesthetics, and socioeconomics. Of these effects, the following were avoided or mitigated to a level below significance geologic resources, hydrologic resources, cultural resources, transportation and circulation, air quality, noise, public services and utilities, and socioeconomics. A Statement of Overriding Conditions was made in approving the project.

Furthermore, the following addendum/addenda were reviewed:

An Addendum to the Previously Adopted Environmental Impact Report for The Pointe San Diego (HLP96-002/Log No. 96-19-5) dated November 21, 1996 was approved on January

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17, 1997 by the Director of Planning and Land Use. The Addendum identified that the project would cause significant effects to biology that were not mitigable. Mitigation in the form of off-site acquisition was required for the loss of Coastal sage scrub and impacts to the California gnatcatcher. It was concluded that the amount of Coastal sage scrub impacted had not significantly changed than previously proposed and that the level of significance for the loss of Coastal sage scrub had not significantly increased.

An Addendum to the Previously Adopted Environmental Impact Report for The Pointe Apartments (MUP01-003/Log No. 89-19-015A) dated January 11, 2002 was approved on January 25, 2002 by the Planning Commission. The Addendum identified that the project would cause significant effects to traffic/circulation. This effect was avoided or mitigated to a level below significance.

2. Lead agency name and address:

County of San Diego, Department of Planning and Land Use
 5201 Ruffin Road, Suite B,
 San Diego, CA 92123-1666

- a. Contact Donna Beddow, Environmental Analyst
- b. Phone number: (858) 694-3656
- c. E-mail: donna.beddow@sdcounty.ca.gov

3. Project applicant's name and address:

Pointe Builders
 3130 Bonita Road, Suite 200
 Chula Vista, CA 91910

4. Summary of the activities authorized by present permit/entitlement application(s):

General Plan Amendment 90-02, Specific Plan Amendment 88-001, Rezone 88-001, Tentative Map 4828RPL, Major Use Permit 88-014, Major Use Permit 88-015, Major Use Permit 88-016 (Log No. 90-GP-3 [approved by the Board of Supervisors on August 1, 1990]) authorized the development of a destination resort consisting of a resort complex of 641 guest suites in eighteen buildings, 73,050 square foot convention facility, and resort amenities (tennis courts, volleyball courts, health center, pools, cabana bars, arcades, putting greens, racquetball courts, squash courts, handball courts, childcare center, and barbecue areas); three restaurants; 358,300 square feet of corporate offices; a 350,000 square foot office-professional park; 619 single-family homes; 236 apartments; an 18-hole golf course with clubhouse facility; and resort related recreational facilities on approximately 635 acres known as Hansen's Ranch located in the Spring Valley unincorporated community of San Diego County.

Habitat Loss Permit 96-002 (Log No. 96-19-5 [approved by the Director of Planning and Land Use on January 17, 1997]) authorized the loss of 40.5 acres of Coastal sage scrub habitat.

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Major Use Permit 01-003 (Log No. 89-19-015A [approved by the Planning Commission on January 25, 2002]) authorized the development of an 88-unit apartment complex (six buildings). The project included a rental office, associated parking, and landscaping.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES

NO



If yes, describe ALL differences.

The Major Use Permit Modification, P89-015W²; Specific Plan Amendment, SPA01-003; and Rezone, REZ02-001 propose an amendment to portions of "The Pointe San Diego" Specific Plan to allow revisions to the resort/commercial component of the Specific Plan. Resort elements are to be relocated in other areas of the plan, a golf element is added to allow the finishing hole of the course to be placed adjacent to the resort, and the course is integrated through the commercial lands to accomplish this modification. Changes also propose replacing a commercial portion of the resort with an 84-unit apartment complex. This replacement use represents the second phase of a 172-unit complex that already includes an approved 88-unit first phase (MUP01-003). Zoning changes from S88 (Specific Plan) to RU22 (Urban Residential) are proposed to allow the residential construction of the second phase of the LakeView Apartment Complex.

Tentative Map 5296Rpl proposes the construction of an 84-unit condominium (multi-family) project replacing the second phase of the LakeView Apartment Complex. The project will take access off of Pointe Parkway that is located east of the project site.

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

☒ NONE

☐ Aesthetics

☐ Biological Resources

☐ Hazards & Haz. Materials

☐ Mineral Resources

☐ Public Services

☐ Utilities/Service Systems

☐ Agriculture Resources

☐ Cultural Resources

☐ Hydrology/Water Quality

☐ Noise

☐ Recreation

☐ Mandatory Findings of Significance

☐ Air Quality

☐ Geology/Soils

☐ Land Use/Planning

☐ Population/Housing

☐ Transportation/Traffic

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DETERMINATION:

On the basis of this analysis, the Department of Planning and Land Use has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or previously certified EIR is adequate upon completion of an ADDENDUM.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with an ND or EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

Donna Beddow
Signature

August 5, 2003
Date

Donna Beddow
Printed Name

Env. Management Specialist
Title

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INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

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CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 are have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES

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NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

II. AGRICULTURAL RESOURCES – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agricultural resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use and/or conflicts with existing zoning for agricultural use or Williamson Act contract?

YES

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NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

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III. AIR QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES

NO



If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

IV. BIOLOGICAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES

NO



If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

Since the approval of the EIR for "The Pointe San Diego" GPA90-02, SPA88-001, R88-001, TM4828RPL, P88-014, P88-015, P88-016, Log No. 90-GP-3 (August 1, 1990) there were changes in circumstances.

One change in circumstance is the adoption of the Multiple Species Conservation Program (October 22, 1997 [MSCP]) that is implemented through the Biological Mitigation Ordinance (March 17, 1998 [BMO]). This project is located in the MSCP and MSCP Findings have been made identifying that the project is in a Take Authorized Area. The project will not have a significant impact on the MSCP since the loss of habitat on site was taken into consideration when the EIR was completed and when the MSCP was planned. Therefore, no change in impacts to biological resources will occur as a result of Major Use Permit Modification, P89-015W2 or Tentative Map, TM5296Rpl1.

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A second change of circumstance was the adoption of the Resource Protection Ordinance (October 10, 1991). The RPO requires that development be controlled in areas where sensitive habitat lands, significant prehistoric or historic sites, wetlands, wetland buffer areas, steep slope lands, floodways, and floodplain fringe lands are present. This project conforms to the requirements of this ordinance.

V. CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES

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NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

VI. GEOLOGY AND SOILS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

YES

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NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a

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hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES

NO



If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

VIII. HYDROLOGY AND WATER QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES

NO



If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

A change in circumstances is the adoption of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (February 20, 2002). This ordinance requires that Best Management Practices (BMPs) be implemented into the project design to filter pollutants out of the water prior to exiting the property. A stormwater study entitled, "Stormwater Management Plan for MUP89-015W2, REZ02-001, SPA01-003/Log No. 89-19-015B; TM5296Rpl/Log No. 89-19-015F Pointe Lakeview Apartments Phase II, dated February 20, 2003 (submitted to DPLU on March 6, 2003) prepared by Craig, Bulthuis & Stelmar determined that the project would implement BMPs that would ensure the treatment of water prior to exiting the property, therefore water quality would be maintained for any runoff that may enter the Sweetwater Reservoir.

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This project is determined to have a less than significant impact on water quality.

IX. LAND USE AND PLANNING – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES

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NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

X. MINERAL RESOURCES – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES

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NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

XI. NOISE – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES

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NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

XII. POPULATION AND HOUSING – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the

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project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES

NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

XIII. PUBLIC SERVICES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES

NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

XIV. RECREATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES

NO

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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

XV. TRANSPORTATION/TRAFFIC -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

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YES NO
☐ ☒

If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

XVI. UTILITIES AND SERVICE SYSTEMS – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES NO
☐ ☒

If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE: Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

YES NO
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If "Yes," describe each effect, and explain whether it is significant, whether it was discussed in the previous EIR or ND and, if so, whether the effect is now substantially more severe.

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Attachments

- Previous environmental documentation (Including any previous addenda, Negative Declarations, or EIRs (Including Supplemental of Subsequent EIRs)
- Addendum to the previously adopted Negative Declaration or EIR
- Extended Initial Studies

XVIII. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW
 UPDATE CHECKLIST FORM

Acoustical Analysis Report (Revised) for The Pointe Lakeview Apartments; MUP89-105W2, REZ02-001, SPA01-003/Log No. 89-19-015B; TM5296Rpl1/Log No. 89-19-015F; ABC Acoustics; December 12, 2002

Anthony J. Lewis, "Selche," Discovery Channel School, original content provided by World Book Online, <http://www.discoveryschool.com/homeworkhelp/worldbook/atozgeography/s/500060.html>, June 25, 2001.

California Department of Fish and Game. Fish and Game Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines 1997

California Environmental Quality Act. 2001. California Code of Regulations, Title 14, Chapter 3, Section 15382.

California Integrated Solid Waste Management Act, 1989

California Integrated Waste Management Board, Title 14, Natural Resources, Division 7

California Integrated Waste Management Board, Title 27, Environmental Protection, Division 2, Solid Waste

California Public Resources Code, CPRC, Sections 40000-41956

CEQA Drainage Study For MUP89-015W2; REZ02-001; SPA01-003/Log No. 89-19-015B; TM5296Rpl1/Log No. 89-19-015F, Pointe Lakeview Apartments – Phase II; Craig, Bulthuis & Stelmar; February 24, 2003

City of Los Angeles, L.A. CEQA Thresholds Guide, Section C Geology, D Water Resources

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego Conservation Element of the General Plan (especially Appendices G – Unique Geological Features, Pages X-G-1 thru X-G-7)

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County of San Diego Public Facility Element of the General Plan (Section 6-Solid Waste, XII-6-1)

County of San Diego Scenic Highway Element of the General Plan

County of San Diego Zoning Ordinance (Agricultural Use Regulation, Sections 2700-2720)

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

County of San Diego. 1997. Multiple Species Conservation Program, County of San Diego Biological Mitigation Ordinance

County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801 et seq.), February 20, 2002

Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resource Protection, 1998

<http://www.lacity.org/EAD/laceqa/ceqa/index.html>

Order No. 2001-01, NPDES No. CAS 0108758, California Regional Water Quality Control Board, San Diego Region

Ordinance 8334, An Ordinance to amend the San Diego County Code of Regulatory Ordinances relating to Flood Damage Prevention, Adopted by the Board of Supervisors on 12/7/93

Public Resources Code Sections 4290 and 4291

San Diego County Light Pollution Code (San Diego County Code Section 59.101)

Stormwater Management Plan for MUP89-105W2, REZ02-001, SPA01-003/Log No. 89-19-015B; TM5296Rpl1/Log No. 89-19-015F, Pointe Lakeview Apartments Phase II; Craig, Bulthuis & Stelmar; February 20, 2003

The Importance of Imperviousness from *Watershed Protection Techniques* Vol. 1, No. 3 - Fall 1994 by Tom Schueler Center for Watershed Protection

The Resource Conservation and Recovery Act (RCRA), 1976

Trip Generation Analysis for Pointe San Diego Land Use Shift; MUP89-015W2, REZ02-001, SPA01-003/Log No. 89-19-015B; TM5296Rpl1/Log No. 89-19-015F; Damell & Associates; May 17, 2002

Uniform Fire Code, Article 9 and Appendix II-A, Section 16

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LOG NO. 89-19-015B
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Ventura County Initial Study Assessment Guidelines, Ventura County, November 1992.

Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality
Control Board, San Diego Region

Wetland Training Institute, Inc. 1993. Wetland Delineation Lecture Notes based on Corps of
Engineers 1987 Manual

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COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

**STATEMENT OF LOCATION AND CUSTODIAN OF DOCUMENTS
OR OTHER MATERIALS THAT CONSTITUTE A RECORD OF PROCEEDINGS**

August 5, 2003

Project Name:

**The Pointe San Diego/Lake Pointe Luxury
Apartments/Pointe Lakeview Phase II**

Reference Case Numbers:

**MUP89-015W³, SPA01-003; REZ02-001/Log No. 89-
19-015B; TM5296Rpl1/Log No. 89-19-015F**

The CEQA (Section 21081.6[d]) requires that the lead agency (in this case the County of San Diego) specify the location and custodian of the documents or other material that constitute the record of proceedings upon which its decision is based. It is the purpose of this statement to satisfy this requirement.

Location of Documents and Other Materials That Constitute the Record of Proceedings:

County of San Diego, Department of Planning and Land Use
Project Processing Center
5201 Ruffin Road, Suite B
San Diego, California 92123

If this project was subject to a hearing by the County of San Diego Board of Supervisors the following is also a location of documents and other materials that constitute the record of proceedings:

County of San Diego, Clerk of the Board of Supervisors
1600 Pacific Highway, Room 402
San Diego, California 92101

Custodian:

County of San Diego, Department of Planning and Land Use
Project Processing Center
5201 Ruffin Road, Suite B
San Diego, California 92123

If this project was subject to a hearing by the County of San Diego Board of Supervisors the following is also a custodian of the record of proceedings:

County of San Diego, Clerk of the Board of Supervisors
1600 Pacific Highway, Room 402
San Diego, California 92101

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Mitigation Measures/Conditions

**The Pointe San Diego
Lake Pointe Luxury Apartments Phase II
Ponte LakeView Phase II
MUP89-015W³/REZ02-001/SPA01-003
Log No. 89-19-015B
TM5296Rpl1
Log No. 89-19-015F**

August 5, 2003

(General)

Comply with all conditions identified for Tentative Map 4828RPL and Specific Plan Amendment 88-001, in the Resolution of Approval that was approved by the Board of Supervisors on August 1, 1990, the Decision for Major Use Permit Modification P89-014W² (Residential) that was approved by the Planning and Environmental Review Board on March 1, 1992, the Decision for the Major Use Permit Modification P89-015W² (Resort Facilities) that was approved by the Planning and Environmental Review Board on March 1, 1992, and the Major Use Permit Modification P89-016W¹ (Golf Course and Related Facilities) that was approved by the Planning and Environmental Review Board on March 1, 1992.

(Noise)

1. On the final site plans, specify sixteen ground-mounted York International 12 SEER (1.5 to 3 ton units) split system heat pumps (models HP018, HP024, or HP030) or equivalent with a maximum ARI rating of 80 decibels with a maximum height of three-feet. The outdoor ground-mounted units shall be identified on a separate sheet/exhibit that agrees with the numbered locations shown on Attachment "A" submitted to the DPLU on April 10, 2003. These fourteen units face adjacent residential properties to the north and west.
2. Prior to any occupancy or use of the premises pursuant to this Major Use Permit, the applicant shall construct seven 5-foot tall noise attenuation barriers adjacent to sixteen ground-mounted heat pumps as numbered and shown on Attachment "A" submitted to DPLU on April 10, 2003. The barriers shall be located to break the line of sight between the equipment and the nearest adjacent property line and the neighboring residence. The barriers shall be made of masonry, wood, glass, plastic, fiberglass, or a combination with no cracks or gaps through or below the wall. Any gate or door for these barriers must be specified for noise control purposes with overlapping closures on the bottom and sides. If wood is used, the gate/door shall consist of ¾-inch or thicker wood. Documentation (invoices and photos) of all

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building materials including windows, doors, and ventilation (mechanical or otherwise) shall be maintained and provided to the satisfaction of the County certified acoustical engineer. Invoices shall minimally include model and STC data. The minimum surface density of each barrier shall be at least 3.5 pounds per square foot. Each barrier is specified as follows:

- The barrier for AC units 1 and 2 shall have a minimum top of barrier elevation of 389 feet or five feet above the pad elevation of Building 9. It shall be at least 12 feet long and centered on the midpoint of the line between the two units. AC unit #2 shall be no more than 6.6 feet away from the barrier façade. AC unit #1 shall be no more than 11 feet away from the barrier façade. The barrier shall be located north of the AC units in order to break the line of sight to the adjacent property to the north.
- The barrier for AC units 3 and 4 shall have a minimum top of barrier elevation of 389 feet or five feet above the pad elevation of Building 9. It shall be at least 12 feet long and centered on the midpoint of the line between the two units. AC unit #3 shall be no more than 5.7 feet away from the barrier façade. AC unit #4 shall be no more than 9.5 feet away from the barrier façade. The barrier shall be located north of the AC units in order to break the line of sight to the adjacent property to the north.
- The barrier for AC units 5 and 6 shall have a minimum top of barrier elevation of 392 feet or five feet above the pad elevation of the east end of Building 8. It shall be at least 8 feet long and centered on the midpoint of the line between the two units. AC unit #6 shall be no more than 6 feet away from the barrier façade. AC unit #5 shall be no more than 9.5 feet away from the barrier façade. The barrier shall be located north of the AC units in order to break the line of sight to the adjacent property to the north. The west end of the barrier shall have no gap with Building 8.
- The barrier for AC units 7 and 8 shall have a minimum top of barrier elevation of 394 feet or five feet above the pad elevation of the west end of Building 8. It shall be at least 8 feet long and centered on the midpoint of the line between the two units. AC unit #8 shall be no more than 4.5 feet away from the barrier façade. AC unit #7 shall be no more than 8.4 feet away from the barrier façade. The barrier shall be located north of the AC units in order to break the line of sight to the adjacent property to the north. The west end of the barrier shall have no gap with Building 8.
- The barrier for AC units 9 and 10 shall have a minimum top of barrier elevation of 394 feet or five feet above the pad elevation of the west end of Building 8. It shall be at least 20 feet long and centered on the midpoint of the line between the two

units. AC unit #9 shall be no more than 4.8 feet away from the northern portion of the barrier façade. AC unit #10 shall be no more than 4.2 feet away from the western portion of the barrier façade. The L-shaped barrier shall be located northwest of the AC units in order to break the line of sight to the adjacent properties to the north and west.

- The barrier for AC units 11, 12, 13, and 14 shall have a minimum top of barrier elevation of 394 feet or five feet above the pad elevation of Building 7. It shall be at least 84 feet long and continuous with no gaps extending south with the western portion of the barrier for Building 8. AC unit #11 shall be no more than 7.4 feet away from the barrier façade. AC unit #12 shall be no more than 11 feet away from the barrier façade. AC unit #13 shall be no more than 22 feet away from the barrier façade. AC unit #14 shall be no more than 16 feet away from the barrier façade. The barrier shall be located west of the AC units in order to break the line of sight to the adjacent property to the west. The south end of the barrier shall extend at least 5 feet past the northern façade of Building 7.
 - The barrier for AC units 15 and 16 shall have a minimum top of barrier elevation of 385 feet or five feet above the pad elevation of Building 12. It shall be at least 35 feet long and be parallel to the western façade of Building 12 about 5 feet away. AC unit #15 shall be no more than 2.8 feet away from the barrier façade. AC unit #16 shall be no more than 6.8 feet away from the barrier façade. The barrier shall be located west of the AC units in order to break the line of sight to the adjacent property to the west.
3. Prior to any occupancy or use of the premises pursuant to this Major Use Permit, the applicant shall construct three 6-foot tall noise attenuation barriers for Buildings 9, 10, and 11 as they are shown on Attachment "A" submitted to DPLU on April 10, 2003. The barriers shall be located on the building pad to protect the first story noise sensitive locations from traffic noise emanating from Jamacha Boulevard and SR-54. The barriers shall be made of masonry, wood, glass, plastic, fiberglass, or a combination with no cracks or gaps through or below the wall. Any gate or door for these barriers must be specified for noise control purposes with overlapping closures on the bottom and sides. If wood is used, the gate/door shall consist of ¾-inch or thicker wood. The minimum surface density of each barrier shall be at least 3.5 pounds per square foot. Documentation (invoices and photos) of all building materials including windows, doors, and ventilation (mechanical or otherwise) shall be maintained and provided to the satisfaction of the County certified acoustical engineer. Invoices shall minimally include model and STC data. Each barrier is specified as follows:
- The U-shaped noise attenuation barrier for the east side of Building 9 shall be facing Pointe Parkway with return barriers on each end. The upper or northeast

end of the barrier shall have a top of barrier elevation of 400.5 feet. The east edge of the northeast parking lot decreases from a top of barrier elevation of 394.5 feet to 390 feet. The wall portion along the northern half of Building 9 has a top of barrier elevation that varies between 390 feet and 389 feet. The southern portion of the barrier has a top of barrier elevation that decreases from 390 feet to 388 feet along its southern return wall.

- The L-shaped noise attenuation barrier for the east side of Building 10 shall be facing Pointe Parkway with a return barrier on the north end. The upper or northeast end of the barrier shall have a top of barrier elevation of 380.5 feet. The wall portion facing Point Parkway has a top of barrier elevation that decreases from 380.5 feet to 378.5 feet. The southern end of this barrier is contiguous with the barrier associated with Building 11 with no gaps or openings.
 - The V-shaped noise attenuation barrier for the south end of Building 11 shall be facing either Pointe Parkway or Jamacha Boulevard. The upper or northeast end of the barrier beginning with the parking lot shall have a top of barrier elevation of 378.5 feet. The wall portion facing the intersection of Point Parkway and Jamacha Boulevard has a top of barrier elevation that decreases from 378.5 feet to 377.5 feet. The southern end of this barrier increases its top of barrier elevation along the southwestern façade of Building 11 from 377.5 feet to 379.5 feet adjacent to the pool area. The minimum barrier height remains six feet throughout and the final elevation increase is due to the pad elevation of the pool area being 373.5 feet.
4. Prior to the issuance of any building permits, the following conditions shall be met on Buildings 9, 10, and 11 for MUP89-015W³ as shown on the site plans submitted on December 20, 2002, on file with the Department of Planning and Land Use as Environmental Review Number 89-19-015B:
- Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future interior noise levels of the residential dwellings will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [interior (45 dB CNEL)]. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for a 4-lane Collector for Jamacha Boulevard and a 6-lane Expressway for SR-54 which are their designated General Plan Circulation Element buildout roadway classifications.
 - Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

(Department of Public Works)

- B. The "Standard Conditions for Tentative Subdivision Maps," approved by the Board of Supervisors on June 16, 2000 and filed with the Clerk as Document No. 740858(a), shall be made conditions of this Tentative Map approval. Only those exceptions to the Standard Conditions set forth in this resolution or shown on the Tentative Map will be authorized.
- C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County.

PLANS AND SPECIFICATIONS**(Street Improvements and Access)**

- 1. Standard Conditions 1 through 10, 11,
- 2. Specific Conditions:
 - a. Improve Jamacha Blvd. (some segments thereof are SF1397) offsite to Public Road Standards from Sweetwater Springs Blvd. Westerly to Huron Street to be improved to a graded width of seventy feet (70') with sixty-four feet (64') of asphaltic concrete pavement over approved base and asphaltic concrete dike. All of the foregoing to the satisfaction of the Director of Public Works. OR provide documentation setting forth the following: Pointe Communities of San Diego has agreed to improve Jamacha Blvd. between Sweetwater Springs Blvd. and Huron Street, prior to any occupancy or use of the premises of this Project, per agreement between the County of San Diego, Pointe Communities of San Diego, and American Motorists Insurance Company for the Improvement of Jamacha Blvd. and for reimbursement of costs.
 - b. Prior to approval of the Final Map, improve or agree to improve and provide security for the on-site private roads to a minimum graded width of twenty-eight feet (28') with a minimum unobstructed private road width of twenty-four feet (24') of asphaltic concrete pavement over approved base. Private road grades shall be a minimum of 1.0 percent and designed to drain the surface water properly per Standard Condition 11 of the "Standard Conditions for Tentative Subdivision Maps". All private roads to

be signed "No Parking Fire Lane". All of the foregoing shall be to the satisfaction of the San Miguel Consolidated Fire Protection District and the Director of Public Works.

- c. Prior to approval of the Final Map, Improve Pointe Parkway West (Jamacha Blvd-SF 1397) along the project frontage, with Portland cement concrete sidewalk and provide a fourteen foot (14') wide left-turn lane for left-turning movements from Pointe Parkway West (Jamacha Blvd-SF 1397) to project entrance.
- d. Prior to approval of the Final Map, Improve or agree to improve and provide security for an off-site access road from the project entrance to a County maintained road with a minimum improved width of 36' (2-12' lanes plus 2-6' shoulders)- If the improved road connection is not available.
- e. The subdivider shall show the location of the existing trail easement within the southeastern portion of the project. The trail shall be constructed and improved to design standards provided by the Department of Public Works.
- f. Provide a certification by a Registered Civil Engineer, Licensed Land Surveyor or Registered Traffic Engineer that the intersectional sight distance along Jamacha Blvd. (some segments thereof are SF1397) is a minimum of five hundred and fifty feet (550') to the satisfaction of the Director of Public Works.
- g. Provide a certification by a Registered Civil Engineer, Licensed Land Surveyor or Registered Traffic Engineer that the intersectional sight distance along Pointe Parkway West (Jamacha Blvd-SF 1397) looking in both directions from the project entrance is a minimum of four hundred and fifty feet (450') to the satisfaction of the Director of Public Works.
- h. If gated driveway entrances are installed, they shall be in conformance with San Diego County Design Standards No. DS-17, DS-18, or DS-19 and to the satisfaction of the Director of Public Works. DPW may consider an equally effective guard rail which would need to be approved by the Director of Public Works.

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:

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- a. The 100-year flood line of the natural channels crossing all lots with drainage watersheds in excess of twenty-five (25) acres shall be clearly delineated on the non-title information sheet of the Final Map.
- b. A Waiver and Release Agreement shall be obtained from each property owner who is impacted by significant changes (to include diversion and concentration) in downstream flow characteristics resulting from grading, private roads or other improvements. All of the foregoing shall be to the satisfaction of the Director of Public Works.
- c. Provide a private drainage mechanism (for private drainage facilities) to insure perpetual maintenance to the satisfaction of the Director of Public Works.

(Grading Plans)

5. Standard Conditions 19(a-e).
6. Specific Conditions:
 - a. Provide letters of permission for any off-site grading.
 - b. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 5 acres require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
 - c. Obtain an encroachment/cross haul permit for the grading to the satisfaction of the Director of Public Works.

DEVELOPMENT IMPACT FEES

7. Specific Conditions:

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- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
- b. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.
- c. Participate in the cost of a traffic signal installation at the Jamacha Boulevard/Jamacha Road intersection. The amount of the developer's portion of the entire cost of the signal shall be approximately \$1985.00. The Planning and Environment Review Board hereby determines that:
 - (1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
 - (2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Jamacha Boulevard and Jamacha Road.
 - (3) The traffic signal will help mitigate the additional traffic impact to this intersection caused by this project.
 - (4) This project will contribute additional traffic to the Jamacha Boulevard and Jamacha Road Intersection; and
 - (5) The fee of \$1985.00 is based on an estimate of the percentage of traffic this project will contribute to this intersection.

FINAL MAP RECORDATION

(Streets and Dedication)

8. Specific Conditions:

- a. Provide recorded documentation showing that the subject property is connected to a publicly maintained road by a 40' minimum easement for road purposes and that this easement shall be for the benefit and use of the subject property and binding to the property and its heirs, successors

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in interest, and assignees. This requirement applies to off-site access to the property.

- b. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- c. With the approval of the Final Map, dedicate/grant/provide any necessary on-site and off-site public/private drainage easements to the satisfaction of the Director of Public Works
- d. The project shall relinquish its access rights (except for construction traffic) into all of the adjoining properties and roads. After Jamacha Blvd. (some segments thereof are SF1397) is improved off-site from Sweetwater Springs Blvd. westerly to Huron Street and accepted into the County System of Maintained Roads, the applicant may apply for a remandment of these access rights to the satisfaction of the Director of Public Works.
- e. Cause to be granted off-site to the County of San Diego, an easement for public road purposes that provides a right-of-way width of seventy feet (70') along the centerline, plus slope rights and drainage easements for Jamacha Blvd. (some segments thereof are SF1397) from Sweetwater Springs Blvd. westerly to Huron Street. The easement shall be accepted for public use. The grants of right-of-way shall be free of all encumbrances or subordinated at the time of recordation.
- f. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- g. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A

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combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

(Miscellaneous)

9. Standard Conditions 25, 26, 27, and 28.

WAIVER AND EXCEPTIONS

These recommendations are pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public Road and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the following:

a. Standard Conditions for Tentative Maps:

- (1) Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.
- (2) Standard Condition 12: Said condition pertains to improvement of trails. This waiver will permit the improvement of trails to be constructed to the satisfaction of the Director of Public Works.

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**MULTIPLE SPECIES CONSERVATION PROGRAM FINDINGS
TAKE AUTHORIZED DESIGNATED LANDS
MUP89-015W³, REZ02-001, SPA01-003/Log No. 89-19-015B;
TM5296Rpl1/Log No. 89-19-015F**

AUGUST 5, 2003

The project proposes development on land identified as "Take Authorized" within the Multiple Species Conservation Program (MSCP). Areas designated as Take Authorized were evaluated by the County, the US Fish and Wildlife Service, and the California Department of Fish and Game during development of the MSCP and approval of the Biological Mitigation Ordinance (BMO). Compensation for impacts to biological resources in Take Authorized Areas has already been built into the MSCP conservation process and no further mitigation is required. Projects proposed in Take Authorized Areas are exempt from the BMO (Article III.A), but must conform to the MSCP County Subarea Plan. Based on the following findings, the project has been found to adequately conform to the County Subarea Plan and have met all requirements under the MSCP.

1. **The project has been identified in the San Diego County Subarea Plan Figure 1-2 as a "Take Authorized Area".**

The project has been identified as a "Take Authorized Area" in the San Diego County Subarea Plan (Figure 1-2 of the Subarea Plan). The attached map depicts the project location in relation to MSCP areas designated as "Take Authorized" and "No Take Authorized/Preserved".

2. **The project has been designed to conform with the requirements of the South County segment of the San Diego County Subarea Plan.**

The project proposes a Specific Plan Amendment to allow revisions to the resort/commercial component of the Specific Plan. The Major Use Permit Modification proposes changes to the approved use permit that authorized the resort. The changes propose replacing a commercial portion of the resort with an 84-unit apartment complex. A Rezone of the project site is also proposed to make the proposed multi-family use consistent with adjoining proposed multi-family project approved under MUP01-003. Tentative Map 5296Rpl1 proposes the construction of an 84-unit condominium (multi-family) project replacing the second phase of the LakeView Apartment Complex. The proposed project is within the Pointe San Diego Specific Plan area. This Specific Plan included the preservation of 312 acres of open space, which is now identified as "No Take Authorized/Preserved" on the County Subarea Plan map. The project does not propose development within these "Preserved" areas and will

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restrict all direct and indirect impacts to "Take Authorized" areas. Furthermore, the project does not propose land uses adjacent to the Preserved land other than those allowed in Section 1.10 of the County Subarea Plan. Based on the above information, the project has been designed to conform to the requirements of the County Subarea Plan.

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GARY L. PRYOR
DIRECTOR
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County of San Diego

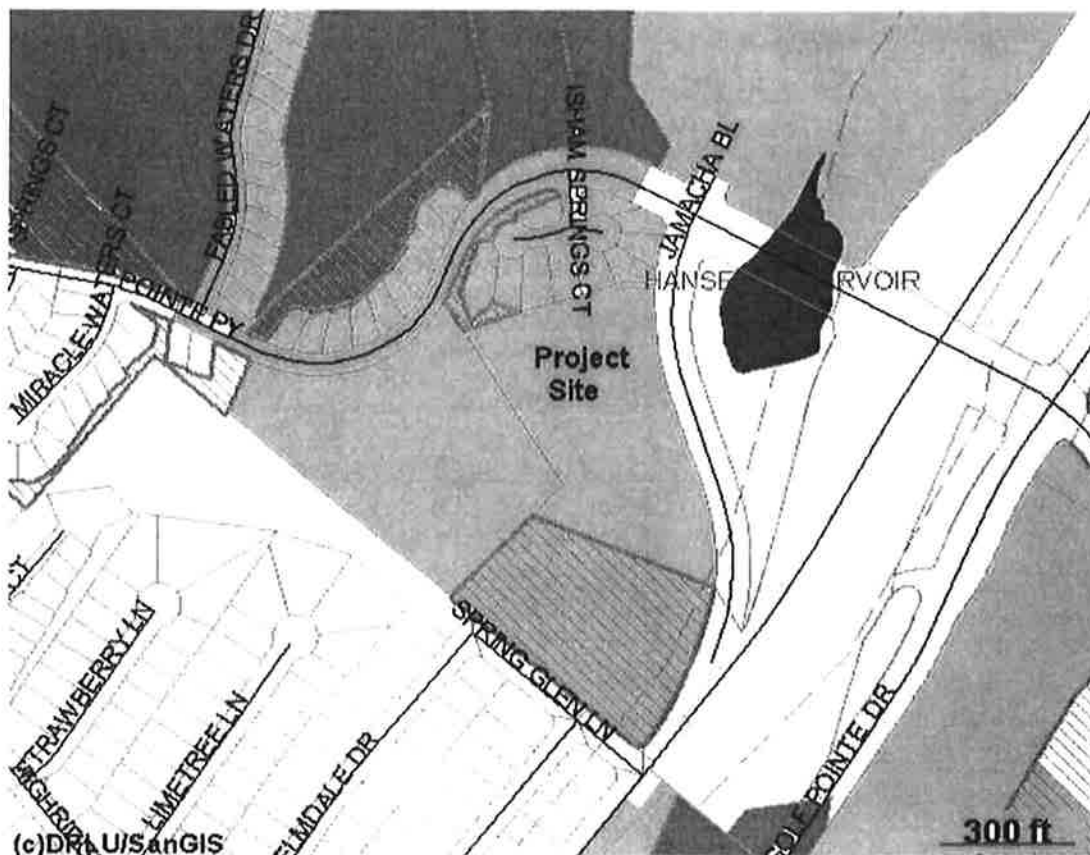
DEPARTMENT OF PLANNING AND LAND USE




5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1668
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017

SAN MARCOS OFFICE
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SAN MARCOS, CA 92068-2620
(760) 471-0730

EL CAJON OFFICE
200 EAST MAIN ST. • SIXTH FLOOR
EL CAJON, CA 92020-3912
(619) 441-4030

MSCP Designation for The Pointe San Diego, TM5296, REZ02-001, SP01-003, MUP89-015W1



-  Take Authorized Areas
-  Planned Preserve
-  Biological Open Space

MSCP PAMA

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County of San Diego

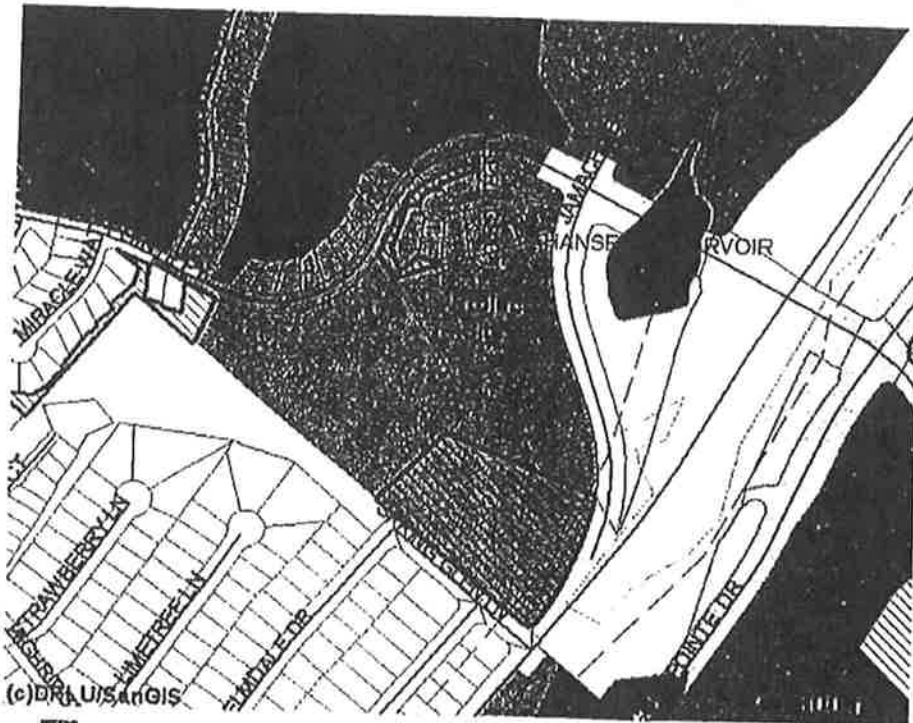
DEPARTMENT OF PLANNING AND LAND USE




8201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1888
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EL CAJON, CA 92020-3012
(619) 441-4030

MSCP Designation for The Pointe San Diego, TM5296Rp11, REZ02-001, SP01-003, MUP89-015W³



-  Take Authorized Areas
-  Planned Preserve
-  Biological Open Space

MSCP PAMA

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DRAFT NOTICE OF DETERMINATION

TO: ☒ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812

☒ Recorder/County Clerk
Attn: Hana Huvar
1800 Pacific Highway, M.S. A33
San Diego, CA 92101

FROM: County of San Diego
Department of Planning and Land Use, M.S. 0650
Attn: Cecilia Caballes
5201 Ruffin Road, Suite B
San Diego, CA 92123

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name and Number(s): The Pointe San Diego/Lake Pointe Luxury Apartments/Pointe Lakeview Phase II/MUP89-015W3, SPA01-003, REZ02-001/Log No. 89-19-015B; TM5298Rpl/Log No. 89-19-015F

State Clearinghouse No.: 88030815

Project Location: 2750 Pointe Parkway in the community of Spring Valley in the unincorporated area of the County of San Diego.

Project Applicant: Pointe Builders
3130 Bonita Road, Suite 200
Chula Vista, CA 91910

Project Description: The Major Use Permit Modification, P89-015W²; Specific Plan Amendment, SPA01-003; and Rezone, REZ02-001 propose an amendment to portions of "The Pointe San Diego" Specific Plan to allow revisions to the resort/commercial component of the Specific Plan. Resort elements are to be relocated in other areas of the plan, a golf element is added to allow the finishing hole of the course to be placed adjacent to the resort, and the course is integrated through the commercial lands to accomplish this modification. Changes also propose replacing a commercial portion of the resort with an 84-unit apartment complex. This replacement use represents the second phase of a 172-unit complex that already includes an approved 88-unit first phase (MUP01-003). Zoning changes from S88 (Specific Plan) to RU22 (Urban Residential) are proposed to allow the residential construction of the second phase of the LakeView Apartment Complex.

Tentative Map 5298Rpl proposes the construction of an 84-unit condominium (multi-family) project replacing the second phase of the LakeView Apartment Complex. The project will take access off of Pointe Parkway that is located east of the project site.

Agency Approving Project: County of San Diego

County Contact Person: Donna Beddow Telephone: (658) 694-3858

Date Form Completed: August 5, 2003

This is to advise that the County of San Diego Planning Commission has approved the above described project on _____ (date/item #) and has made the following determinations:

1. The project ☒ will ☐ will not have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.
☐ A Negative Declaration or Mitigated Negative Declaration was prepared for this project pursuant to the provisions of the CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.

The following determinations are only required for projects with Environmental Impact Reports:

4. A Statement of Overriding Considerations ☒ was ☐ was not adopted for this project.
5. Findings ☒ were ☐ were not made pursuant to the provisions of State CEQA Guidelines Section 15091.

Project status under Fish and Game Code Section 711.4 (Department of Fish and Game Fees):

- ☐ Certificate of Fee Exemption (attached)
☒ Proof of Payment of Fees (attached)

The Environmental Impact Report or Negative Declaration with any comments and responses and record of project approval may be examined at the County of San Diego, Department of Planning and Land Use, Project Processing Counter, 5201 Ruffin Road, Suite B, San Diego, California.

Date received for filing and posting at OPR: _____

Signature: _____ Telephone: (658) 694-3858

Name (Print): Donna Beddow Title: Environmental Management Specialist

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than nine months. Reference: CEQA Guidelines Section 15075 or 15094.

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